

Alaska State Board of Education & Early Development
Approved Minutes
June 4 & 5, 2015
Fairbanks, AK

Thursday, June 4

Acting Chair Fields called the meeting to order at 8 a.m. John Harmon was absent. Commissioner Hanley swore in new member Lt. Col. Chris Nall. The board, staff, and public recited the Pledge of Allegiance.

The board removed Item 5 from the agenda and moved items 17-20 to follow Item 7A. Sue Hull moved and Barbara Thompson seconded a motion to approve the amended agenda. Board members present approved the motion unanimously in a roll call vote. No member declared a conflict of interest.

The board recognized outgoing student representative Kobe Rizk for his contributions.

Dr. Karen Gaborik, superintendent of the Fairbanks North Star Borough School District, welcomed the board and summarized the district's enrollment and goals.

Public Comment

Christie Reinhardt of the Governor's Council on Disabilities and Special Education said state regulations should allow nurse practitioners to diagnose Fetal Alcohol Spectrum Disorders to place students in special education.

Wendy Fite of the American Lung Association urged Alaska's school districts to have tobacco-free campuses as a matter of policy.

David Nees asked the board to consider its role, vision and mission, saying the board should guide the commissioner in education reform and work with the legislature to develop laws.

Marilyn Pierce-Bulger, a nurse practitioner, said medical providers other than physicians should have the authority to diagnose Fetal Alcohol Spectrum Disorders to place students in special education.

Work Session

Agenda Item 1. Discussion about retreat. Commissioner Hanley, Sue Hull, and Acting Chair Fields discussed the results of the board's retreat, which was held June 3 in Fairbanks.

Agenda Item 2. Review joint meeting with University of Alaska regents. Commissioner Hanley summarized the issues addressed at the board's meeting with the University of Alaska regents on June 3 in Fairbanks. He noted the university's desire for high-quality instruction in high school for dual-credit courses.

Agenda Item 3. Setting cut scores for the Alaska Measures of Progress assessments. Dr. Marianne Perie -- co-director of the Center for Educational Testing and Evaluation in the Achievement & Assessment Institute at the University of Kansas -- reviewed Alaska's upcoming process for recommending cut scores for the Alaska Measures of Progress assessments. Dr. Perie also reviewed the systems for maintaining the privacy of data about individual students.

Agenda Item 4A. Mt. Edgecumbe High School policy regarding restraint and seclusion of students. Assistant Attorney General Luann Weyhrauch said the proposed policy does not align in all ways with Alaska statutes. The board agreed to not take action at this time.

Agenda Item 4B. Mt. Edgecumbe High School policy regarding land use. Assistant Attorney General Luann Weyhrauch reviewed the proposed policy. At Acting Chair Fields' request, Ms. Weyhrauch said she would submit revised language related to written compensatory agreements.

Agenda Item 6. Discussion of 4 AAC 06.135 Use of state funds in elections. Assistant Attorney General Luann Weyhrauch reviewed the regulation, saying the regulation's boundaries are not clear. The board discussed whether local school board resolutions regarding ballot measures are prohibited by the regulation and whether they should be allowed. Ms. Hull asked the department to draft a proposed amendment that would allow school districts to pass resolutions regarding nonpartisan ballot measures.

Agenda Item 7A. College and career readiness assessments. Margaret MacKinnon, Director of Assessments, reviewed the proposed regulation to go out for public comment. It would allow students who hold a Certificate of Achievement to receive a diploma if they take a college and career readiness assessment. The regulation also would clarify the criteria for waivers from the requirement to take such an assessment. Alec Burris asked the department to include death of a legal guardian as a criterion for a waiver.

Agenda Item 17. Teaching & Learning Support report. Dr. Susan McCauley reviewed recent activities by the division. Acting Chair Fields asked for information on each division's budget.

Agenda Item 18. Assessment & Accountability report. Margaret MacKinnon, Director of Assessments, reviewed the memo in the board's packet and discussed the expected timeline to present recommended cut scores for the Alaska Measures of Progress. Board members praised the department for the smooth rollout of the first administration of the Alaska Measures of Progress.

Agenda Item 19. Legislative & Budget report. Marcy Herman, legislative liaison, and Heidi Teshner, administrative director, reviewed the most recent information about the department's budget and education-related legislation.

Agenda Item 20. Rural education report. Commissioner Hanley referred the board to the written report in the board's packet.

Friday, June 5

Work Session Continued

The board approved an amended June 5 agenda, setting 2 p.m. for a meeting with Governor Walker and removing items 25C and 25D from the consent agenda. Sue Hull moved and Kenny Gallahorn seconded the motion, which passed unanimously in a roll call vote.

Agenda Item 9A. Student teachers. Dr. Susan McCauley, Director of Teaching & Learning Support, reviewed the proposed regulation, noting changes from the original proposal in response to public comment. The board discussed the proposed requirement that students in a board-approved teacher preparation program do their student teaching in a public school. The requirement would not prevent such students from also doing student teaching in a private school.

Agenda Item 9B. Bond Reimbursement and Grant Review Committee. Finance Director Elizabeth Nudelman reviewed the proposed regulations.

Agenda Item 9C. State libraries, archives and museums fees. Linda Thibodeau, Director of the Division of Libraries, Archives & Museums, reviewed the proposed regulations. She reiterated that the division can reduce or waive fees for users.

Agenda Item 10. Accountability. Dr. Susan McCauley, Director of Teaching & Learning Support, explained why the board would not be asked to take action at this meeting on these proposed regulations. The U.S. Department of Education has not yet approved provisions that relate to Alaska's waiver from the Elementary and Secondary Education Act.

Agenda Item 11A. PAIDEIA charter application. Benjamin Jenkins of the applicant's Academic Policy Committee explained the nature of the proposed charter school and answered questions from board members and Commissioner Hanley.

Agenda Item 11B. Midnight Sun charter renewal. Principal Jeanne Troshynski explained the history and nature of the school, and answered board members' questions.

Agenda Item 12. Officers. The board elected James Fields as Chair, Sue Hull as First Vice-Chair, and Barbara Thompson as Second Vice-Chair.

Agenda Item 13. Subcommittee appointments. Dr. Keith Hamilton and Sue Hull were appointed to the joint subcommittee with the University of Alaska Board of Regents; Kenny Gallahorn to the career and technical education committee; Acting Chair Fields to the military compact committee; and Sue Hull to the Education Commission of the States, with Dr. Keith Hamilton as alternate.

Agenda Item 14. Meeting Dates. The board approved upcoming meetings on August 24, 2015, by audio conference; September 16-18, 2015, in Sitka; October 9, 2015, by audio conference; October 26, 2015, by audio conference; December 10-11, 2015, in Anchorage; January 25, 2016, by video/teleconference; March 24-25, 2016, in Juneau; and June 15-17, 2016, in Juneau. Barbara Thompson moved and Sue Hull seconded the motion to approve the schedule. Board members present approved the motion unanimously in a roll call vote.

Business Session

Agenda Item 15A. College and career ready assessments. The board inserted the phrase “or legal guardian” to 4 AAC 06.723(2)(A), to read: “the death of the student’s parent or legal guardian if the death occurs within the last semester of the student’s year of intended graduation.”

Barbara Thompson moved and Sue Hull Fields seconded the following motion: I move the State Board of Education & Early Development open a period of public comment on 4 AAC 06.076 Determination of school age, 4 AAC 06.718 College and career readiness assessment after student receives a certificate of achievement, 4 AAC 06.723 Rare or unusual circumstances, and 4 AAC 06.790 Definitions.

Board members present approved the motion unanimously in a roll call vote.

Agenda Item 16A. Student teachers. Sue Hull moved and Barbara Thompson seconded the following motion: After considering all public comment, I move the State Board of Education & Early Development adopt the proposed amendments to regulations 4 AAC 30.020, Student Teachers.

The motion passed on a 5-1 vote, Kathleen Yarr voting “no.”

Agenda Item 16B. Bond Reimbursement and Grant Review Committee. Barbara Thompson moved and Kenny Gallahorn seconded the following motion: After considering all public comment, I move the State Board of Education & Early Development adopt the proposed regulation 4 AAC 31.087 Terms and conditions of office for members of bond reimbursement and grant review committee.

Board members present approved the motion unanimously in a roll call vote.

Agenda Item 16C. Libraries Archives and Museums fees. Barbara Thompson moved and Kathleen Yarr seconded the following motion: After considering all public comment, I move the State Board of Education & Early Development adopt the proposed amendments to 4 AAC 57.910 Fees for services, 4 AAC 58.010 Fees, 4 AAC 59.060 Microforms and microforms systems, and 4 AAC 59.065 Provision of records; fees for copies of records.

Board members present approved the motion unanimously in a roll call vote.

Agenda Item 21. Mt. Edgecumbe High School report. Superintendent Bill Hutton reviewed his written report and potential effects of a budget cut. Board members discussed the impacts of having a school district operate Mt. Edgecumbe. Board members also discussed whether school districts can operate charter schools in a district other than their own.

Agenda Item 22. Libraries, Archives & Museums report. Linda Thibodeau, Director of Libraries, Archives & Museums, reviewed potential budget cuts.

Agenda Item 23. Attorney General's report. Assistant Attorney General Luann Weyhrauch reviewed her written report.

Agenda Item 24. Commissioner's report. Commissioner Hanley discussed the recent legislative session and how the department can work with the resources it has. The department receives only 5 percent of the state's K-12 education budget, the rest going to schools. Education is one of the primary responsibilities of the state, along with health and safety. It is a constitutional and moral responsibility, he said.

Agenda Item 25. Consent agenda. Barbara Thompson moved and Sue Hull seconded the following motion: I move the State Board of Education & Early Development approve the consent agenda consisting of the following: approval of the minutes of the March 19 & 20, 2015, meeting; approval of the minutes of the April 13, 2015, meeting; approval of the PAIDEIA Charter School initial application; approval of the Midnight Sun Family Learning Center renewal application; and approval of the appointment of Margaret MacKinnon. Board members present approved the motion unanimously in a roll call vote.

Agenda Item 25D. Mt. Edgecumbe High School land use policy. Assistant Attorney General Luann Weyhrauch presented three versions of the proposed land use policy. Chair Fields said he preferred Version B, part of which read: "The nature of the agreements or leases cannot interrupt student affairs or learning, nor should the agreements result in a cost to the department, including state staff personnel time. A written compensatory agreement for department costs, when feasible, shall be reached by all parties."

Barbara Thompson moved and Kenny Gallahorn seconded the motion to approve Version B of the Mt. Edgecumbe land use policy. Board members present approved the motion unanimously in a roll call vote.

Board comments

Kobe Rizk thanked the board and staff, and said he appreciated the opportunity to be on the board.

Alec Burris thanked the board and staff.

Barbara Thompson thanked the board and staff, noting the work of Margaret MacKinnon, Elizabeth Davis, and Brian Laurent.

Lt. Col. Nall said he looks forward to serving on the board.

Dr. Keith Hamilton thanked Commissioner Hanley and outgoing board secretary Lisa Miller. He urged board members to talk to educators about their concerns, which include attendance, budget, unfunded mandates, broadband capacity, dropouts, and drugs and alcohol.

Kathleen Yarr said she is excited about choice in education.

Kenny Gallahorn thanked Lisa Miller and Kobe Rizk for their service. He said budget cuts are an opportunity to make changes.

Sue Hull said a budget crisis is an opportunity to think differently. The board's role is expanding and should be more engaged in advocacy. She thanked Kobe Rizk, Lisa Miller, and Commissioner Hanley, and welcomed Alec Burris. She praised the department for its rollout of the Alaska Measures of Progress.

Chair Fields thanked Lisa Miller and Kobe Rizk.

Governor comments

Governor Walker spoke to the board in public for 30 minutes. He spoke about connecting the education system with Alaska's economy. Priorities include keeping up with technology, regional schools, living within our means, long-term planning of funding, and holding educators in higher regard, he said.

The meeting adjourned at 2:45 p.m.